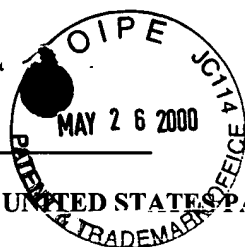


Practitioner's Docket No. 00034

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McCormack et al.

Application No.: 09/493,903

Group No.:

Filed: January 28, 2000

Examiner:

For: PARAMETRIC SHAPE GRAMMAR INTERPRETER

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT BY PRACTITIONER THAT APPLICATION FILED IN PTO  
IS THE ONE INVENTOR EXECUTED BY SIGNING DECLARATION

NOTE: This form is to be used when the declaration only indicates the name(s) of the inventor(s) and the title of the invention. Notice of September 12, 1983, 1035 O.G. 3.

I,

Mark G. Knedeisen

Name of Practitioner

Kirkpatrick & Lockhart LLP

P.O. Address

Henry W. Oliver Building, 535 Smithfield Street, Pittsburgh, Pennsylvania 15222-2312

Reg. No. 42,747

Tel. No. (412 ) 355-6342

state I am the registered practitioner for this application and the application identified above is the application that the inventor(s) executed by signing the declaration that is being submitted herewith.

SIGNATURE OF PRACTITIONER

Customer No.:

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: \_\_\_\_\_

Signature \_\_\_\_\_

\_\_\_\_\_  
(type or print name of person certifying)

(Statement by Practitioner That Application Filed in PTO is the One Inventor Executed by Signing Declaration

[5-10])



#4

Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION**

Docket Number (Optional)  
00034

Applicant, Patentee, or Identifier: McCormack et al.  
Application or Patent No.: 09/493,903  
Filed or Issued: January 28, 2000  
Title: PARAMETRIC SHAPE GRAMMAR INTERPRETER

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Carnegie Mellon University  
ADDRESS OF NONPROFIT ORGANIZATION 5000 Forbes Avenue  
Pittsburgh, PA 15213

TYPE OF NONPROFIT ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_ )  
(CITATION OF STATUTE \_\_\_\_\_ )
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_ )  
(CITATION OF STATUTE \_\_\_\_\_ )

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

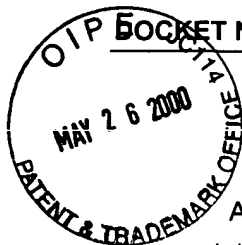
Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Susan Burkett  
TITLE IN ORGANIZATION OF PERSON SIGNING Associate Provost  
ADDRESS OF PERSON SIGNING Pittsburgh, PA 15213  
SIGNATURE *Susan Burkett* DATE 4/17/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**DECLARATION****INVENTORSHIP IDENTIFICATION**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**PARAMETRIC SHAPE GRAMMAR INTERPRETER****TITLE OF INVENTION****SPECIFICATION IDENTIFICATION**

the specification of which:

- (a) ☐ is attached hereto.
- (b) ☒ was filed on January 28, 2000, as ☒ Serial No. 09/493,903  
☐ and was amended on      (*if applicable*).
- (c) ☐ was described and claimed in PCT International Application No.      filed on       
☐ and was amended on      (*if applicable*).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

**PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**  
(Prior Foreign/Pct Application(S) Filed Within 12 Months  
(6 Months For Design) Prior To This Application)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate(s) or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

Application Number	Country or PCT	Date Of Filing (Day, Month, Year)	Priority not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S) UNDER 35 U.S.C. 120**

(All Foreign Application(S), *If Any*, Filed More Than 12 Months  
(6 Months For Design) Prior To This U.S. Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or 365(c) PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

U.S Parent Application No.	PCT Parent Application No.	Date Of Filing (Day, Month, Year)	Parent Patent No. ( <i>If applicable</i> )

**DECLARATION**

I hereby declare that my presentation of this paper constitutes a certification under 37 C.F.R § 10.18, which provides, in part, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application and any patent issuing therefrom.

## SIGNATURE(S)

## inventor(s)

<u>Jay</u> (GIVEN NAME)	<u>P.</u> (MIDDLE INITIAL OR NAME)	<u>McCormack</u> FAMILY (OR LAST NAME)
Inventor's signature <u>Jay P McCormack</u>		
Date <u>4/24/00</u>	Country of Citizenship <u>USA</u>	
Residence <u>Pittsburgh, PA 15207</u>		
Post Office Address <u>613 Greenfield Avenue, Pittsburgh, PA 15207</u>		

<u>Jonathan</u> (GIVEN NAME)	<u></u> (MIDDLE INITIAL OR NAME)	<u>Cagan</u> FAMILY (OR LAST NAME)
Inventor's signature <u>Jonathan Cagan</u>		
Date <u>April 24, 2000</u>	Country of Citizenship <u>USA</u>	
Residence <u>Pittsburgh, PA 15215</u>		
Post Office Address: <u>116 Woodshire Drive, Pittsburgh, PA 15215</u>		

<u></u> (GIVEN NAME)	<u></u> (MIDDLE INITIAL OR NAME)	<u></u> FAMILY (OR LAST NAME)
Inventor's signature _____		
Date _____	Country of Citizenship _____	
Residence _____		
Post Office Address: _____		

- ☐ **Signature** by administrator(trix), or legal representative for deceased or incapacitated inventor. *Number of pages added* \_\_\_\_\_.
- ☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. *Number of pages added* \_\_\_\_\_.
- ☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47) *Number of pages added* \_\_\_\_\_.
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.
- ☒ This declaration ends with this page.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
37 C.F.R. § 3.73(b) Statement

Applicants: McCormack et al.

For: PARAMETRIC SHAPE GRAMMAR INTERPRETER

Serial No.: 09/493,903

Filed: January 28, 2000

**Carnegie Mellon University (a Pennsylvania non-profit organization)** is the assignee of the entire right, title and interest in the patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the **patent application** identified above. The assignment was recorded in the United States Patent and Trademark Office on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

- ☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

**Power Of Attorney**

I hereby revoke all previous powers of attorney, if any, and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Carol I. Bordas,  
George D. Dickos,  
Thomas J. Edgington,  
Christine R. Ethridge,  
Richard W. James,  
James M. Joyce,  
Mark G. Knedeisen,  
William E. Kuss,

Reg. No. 37,284  
Reg. No. 30,048  
Reg. No. 34,324  
Reg. No. 30,557  
Reg. No. 43,690  
Reg. No. 43,700  
Reg. No. 42,747  
Reg. No. 41,919

James R. Kyper,  
Mark R. Leslie,  
Franklin B. Molin,  
Robert A. Muha,  
Jonathan C. Parks,  
Benjamin T. Queen, II  
Darren E. Wolf,  
Robert D. Yeager

Reg. No. 27,346  
Reg. No. 36,360  
Reg. No. 37,397  
Reg. No. 44,249  
Reg. No. 40,120  
Reg. No. 41,260  
Reg. No. 36,310  
Reg. No. 25,047

**Please Direct All Correspondence to: Mark G. Knedeisen, Esquire  
Kirkpatrick & Lockhart, LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222-2312**

**Declaration**

I hereby declare that my presentation of this paper constitutes a certification under 37 C.F.R. § 10.18, which provides, in part, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application and any patent issuing therefrom.

Date

Signature

Name

Title

4/17/00  
Susan Burkett

Associate Provost

**PATENT**

### ASSIGNMENT OF INVENTION (MULTIPLE INVENTORS)

**ASSIGNORS (Inventors):**

116 Woodshire Drive  
Pittsburgh, PA 15215 USA

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hereby sells, assigns and transfers to

ASSIGNEE:

Carnegie Mellon University  
(type or print name of ASSIGNEE)

5000 Forbes Avenue  
Address

(a non-profit Pennsylvania organization)  
Nationality

Pittsburgh, PA 15213

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

- ☒ the entire right, title and interest
- ☐ an undivided \_\_\_\_\_ percent ( \_\_\_\_\_ %) interest for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

☒ and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled: **PARAMETRIC SHAPE GRAMMAR INTERPRETER**

(check and complete (a), (b), (c), (d), (e), (f) or (g))

and which is found in

- (a) ☐ U.S. patent application executed on even date herewith
- (b) ☐ U.S. patent application executed on \_\_\_\_\_
- (c) ☐ U.S. provisional application naming the above inventor(s) for the above-entitled invention
- ☐ Express mail label no.: \_\_\_\_\_
- Mailed: \_\_\_\_\_
- ☐ To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.
- (d) ☒ U.S. application no.: 09/493,903 filed on January 28, 2000
- (e) ☐ International application no. PCT / \_\_\_\_\_ / \_\_\_\_\_  
filed on \_\_\_\_\_
- (f) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_
- ☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

- (g) ☒ and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal this April 24, 2000  
Date of signing

WARNING: The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Jay P. McCormack  
(type name of Inventor)

Jay P. McCormack  
Signature of INVENTOR

Jonathan Cagan

Jonathan Cagan

☐ Notarization or Legalization Page Added.

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.